

applicable in the case of single entity charters.

(Approved by the Office of Management and Budget under control number 3024-0036)

[ER-1220, 46 FR 28375, May 26, 1981, as amended by ER-1341, 48 FR 31014, July 6, 1983]

Subpart D—Provisions Relating to Mixed Charters

§212.60 Applicable rules.

The rules set forth in subpart B of this part shall apply in the case of mixed charters.

Subpart E—Direct Sales by Foreign Air Carriers

AUTHORITY: Secs. 102, 204, 402, 416 of the Federal Aviation Act of 1958, as amended, 92 Stat. 1706, 72 Stat. 743, 757, 92 Stat. 1731; (49 U.S.C. 1302, 1324, 1372, 1386).

SOURCE: ER-1143, 44 FR 50826, Aug. 30, 1979, unless otherwise noted.

§212.70 Applicability of subpart.

This subpart applies to direct foreign air carriers that provide charter trips, including trips with ground accommodations and services, directly to individuals.

§212.71 Terms of service.

(a) Charter trips under this subpart shall bear only such characteristics as are permitted for Public Charters under part 380 of this chapter, except:

(1) They may be arranged and sold by a direct foreign air carrier;

(2) There is no minimum contract size; and

(3) Each participant contract shall be signed by or on behalf of the participant not less than 7 days before scheduled departure of the outbound flight.

(b) Each direct foreign air carrier operating a charter trip under this subpart shall comply with all the requirements and limitations of part 380 of this chapter, *Public Charters*, applicable to direct foreign air carriers and to foreign charter operators except that:

(1) Those provisions of part 380 relating to the existence of a contract between a charter operator and a direct carrier do not apply;

(2) Section 380.34 does not apply except as specified in paragraph (b)(4) of this section.

(3) If a depository agreement is used, it shall comply with §380.34a(d) and (f); and

(4) If a security agreement is used, it shall comply with §380.34(c) and (d), and:

(i) If no depository agreement is used, protect charter participant deposits (including those for ground accommodations and services) and assure the direct foreign air carrier's contractual and regulatory responsibilities to charter participants in an unlimited amount (except that the liability of the securer with respect to any charter participant may be limited to the charter price paid by or on behalf of such participant);

(ii) If used in combination with a depository agreement, protect charter participant deposits (including those for ground accommodations and services) and assure the direct air carrier's contractual and regulatory responsibilities to charter participants in the amount of at least \$10,000 times the number of flights, except that the amount need not be more than \$200,000. The liability of the securer with respect to any charter participant may be limited to the charter price paid by or on behalf of such participant.

(c) For the purposes of this section, "charter trip" includes charter tours with or without ground accommodations and services.

§212.72 Board powers.

The Board retains, with respect to charters under this subpart, all powers that it has under part 380 of this chapter with respect to Public Charters.

APPENDIX A TO PART 212—FOREIGN ROUTE AIR CARRIER'S SURETY BOND UNDER PART 212 OF THE ECONOMIC REGULATIONS OF THE CIVIL AERONAUTICS BOARD (14 CFR PART 212)

Know all men by these presents, that we _____ (Name of foreign route air carrier) of _____ (City), _____ (State) as PRINCIPAL (hereinafter called Principal, and _____ (Name of Surety) a corporation created and existing under the laws of the State of _____ (State) as SURETY (hereinafter called Surety) are held and firmly bound unto the United